

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

FORT WORTH 4th STREET PARTNERS,  
L.P., MOJITO ENERGY LLC, KSM  
MINERALS, LLC, 4th STREET  
MINERALS, LLC, and REILLY FAMILY  
MINERALS, LLC,

Plaintiffs,

V.

No. 3:14-cv-03871-M

CHESAPEAKE ENERGY CORP.,  
CHESAPEAKE OPERATING, LLC,  
CHESAPEAKE EXPLORATION, LLC as  
successor by merger to CHESAPEAKE  
EXPLORATION, LP, and  
CHESAPEAKE LAND COMPANY LLC,

Defendants.

**PLAINTIFFS' MOTION FOR PARTIAL SUMMARY JUDGMENT ON DEFERRED  
PAYMENT OBLIGATION AND DEDUCTIONS**

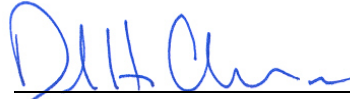
Fort Worth 4th Street Partners, LP, et al. (collectively, the “landowner plaintiffs”) move the Court for summary judgment with respect to Chesapeake Exploration, L.L.C., as successor by merger to Chesapeake Exploration, L.P., and its agent, Chesapeake Operating, Inc. (collectively, “Chesapeake defendants”) (1) failure to make deferred payment obligations due under the parties’ Surface Use Agreement and (2) the Chesapeake defendants’ deduction of post-production expenses from the landowner plaintiffs’ royalties in violation of the relevant leases and contracts. While other issues remain, summary judgment is proper on these issues and will both advance the litigation and narrow the issues for trial. In support of this motion, the landowner plaintiffs rely on the concurrently-filed memorandum in support of this motion and appendix.

WHEREFORE, the landowner plaintiffs respectfully request that the Court enter judgment, pursuant to Federal Rule of Civil Procedure 56, against the Chesapeake defendants for the reasons stated in the accompanying memorandum in support of this motion and appendix and, further, grant

all other relief to which the landowner plaintiffs may show themselves justly to be entitled and for which it will ever pray.

Dated: September 11, 2015.

Respectfully submitted,



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**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing instrument has been served on this day, September 11, 2015, via the Court's ECF system as indicated below:

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